



CITY CLERK/HUMAN RESOURCES DEPARTMENT

May 20, 2004

**VIA CERTIFIED/RETURN RECEIPT REQUESTED:**

KY. Dept. for Local Government  
1024 Capital Center Drive  
Frankfort, KY 40601

Secretary of State  
700 Capital Avenue, Suite 152  
Frankfort, KY 40601

BOONE COUNTY CLERK Marilyn Rouse  
P.O. Box 874  
Burlington, KY 41042

**VIA FIRST CLASS MAIL:**

Boone County Judge/Executive Gary Moore  
P.O. Box 900  
Burlington, KY 41005

Kevin Costello, Executive Director  
(C/o) Vicki Myers  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Bob Townsend, Director  
Florence Public Services  
Florence Government Center  
Florence, KY 41042

Peter Glenn, Project Manager  
Florence Public Services  
Florence Government Center  
Florence, KY 41042

Police Chief Tom Kathman  
Florence Police Department  
Florence Government Center  
Florence, KY 41042

RECEIVED AND FILED  
DATE May 25, 2004  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Garlie Adkinson

Fire/EMS Chief Jim McMillen  
Florence Fire/EMS Department  
Fire Station 3, 1152 Weaver Road  
Florence, KY 41042

Finance Director Linda Chapman  
Florence Finance Department  
Florence Government Center  
Florence, KY 41042

City Attorney Hugh O. Skees  
7699 Ewing Boulevard  
Florence, KY 41042

Director  
Boone Co. Public Safety Communications Center  
Florence Government Center  
Florence, KY 41042

BOONE COUNTY SHERIFF Mike Helmig  
P.O. Box 198  
Burlington, KY 41005

Boone Co. Property Valuation Administrator Ron Burch  
P.O. Box 388  
Burlington, KY 41005

Boone County GIS  
2995 Washington Street  
Burlington, KY 41005

Jim Key, Chief Building Official  
Boone County Building Inspection Office  
5958 Garrard Street  
Burlington, KY 41005

Dan Maher, Director  
Boone County Emergency Management  
6024 Rogers Lane  
Burlington, KY 41005

Bill Viox, City Engineer  
Viox & Viox Inc.  
466 Erlanger Road  
Erlanger, KY 41018

Boone County Board Of Education  
8330 U.S. 42  
Florence, KY 41042

Northern Kentucky Area Development District  
22 Spiral Drive  
Florence, KY 41042

CSI Waste Services of Greater Cincinnati  
Att: Tim Trost  
11563 Mosteller Road  
Cincinnati, OH 45241

CINCINNATI BELL TELEPHONE  
Att: Julie Orick 102-1100  
201 East Fourth Street  
Cincinnati, OH 45201

CINERGY  
Att: Jim Gillespie  
424 Gest Street, Room 317  
Cincinnati, OH 45202

OWEN ELECTRIC COOPERATIVE, INC.  
Att: Bill Prather  
510 South Main  
Owenton, KY 40359

INSIGHT COMMUNICATIONS  
Att: Linda Begnoche  
180 Barnwood Drive  
Edgewood, KY 41017

Kentucky League of Cities  
101 E. Vine Street, Suite 600  
Lexington, KY 40507-3700

Mr. Gene Roland  
Address Management Systems  
U. S. Postal Service  
1591 Dalton Street  
Cincinnati, OH 45234-9321

Postmaster Nancy Huber  
FLORENCE POST OFFICE  
7101 Turfway Road  
Florence, KY 41042

John W. Hutton  
7940 U.S. 25 (Dixie Highway)  
Florence, KY 41042

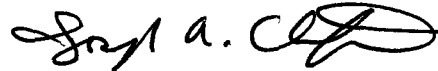
Dear Sir:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. O-10-04 annexing certain territory consisting of a parcel of approximately 11.1997 acres located at 7906 Dixie Highway (U.S. 25), adjacent to the City limits of Florence. This property was annexed at the request of Insight Kentucky Partners II, L.P., owner. Exhibits A, the legal description and B, the plat map of said property, are included herewith. **According to the owner, there are no (0) registered voters residing on these properties at present.**

First reading of Ordinance No. O-10-04 was held on April 13, 2004. Second reading was held on April 20, 2004, and the full Ordinance was published in the *Boone County Recorder* on April 29, 2004 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph A. Christofield". The signature is fluid and cursive, with a large, stylized "J" and "C".

Joseph A. Christofield, City Clerk

ORDINANCE NO. O-10-04

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 11.1997 ACRES LOCATED AT 7906 DIXIE HIGHWAY (U.S. 25), ADJACENT TO THE CITY LIMITS. (INSIGHT PROPERTY)

WHEREAS, Insight Kentucky Partners II, L.P., being the owner of record of the hereinafter described territory (the "territory"), has requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owner has given written consent to such annexation; and

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that after annexation the territory shall remain subject to the same land use restrictions as applied to it prior to annexation until such restrictions are changed in accordance with K.R.S. Chapter 100.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a.) Is contiguous to the boundaries of the City, and
- (b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
- (c.) Is not included within the boundary of another incorporated city.

SECTION II

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION III

The owner of record of the territory has filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A. 420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

SECTION IV

Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, remain subject to the same land use restrictions as applied to it prior to annexation, until those restrictions are changed in accordance with K.R.S. Chapter 100.

SECTION V

This ordinance shall be published in full.

PASSED AND APPROVED ON FIRST READING THIS 13<sup>th</sup> DAY OF April, 2004.  
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 20<sup>th</sup> DAY OF April, 2004.

APPROVED:

Deane E. Whalen  
MAYOR

ATTEST:

Joseph A. Christofield  
CITY CLERK

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance O-10-04 as same appears in the official records of my office.

Dated this 17 day of MAY, 2004.

Joseph A. Christofield  
Florence City Clerk

RECEIVED AND FILED  
DATE May 25, 2004  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Phanie Addison

**CITY OF FLORENCE, KENTUCKY**

**READING SUMMARY**

**ORDINANCE NO. 0-10-04**

**AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 11.1997 ACRES LOCATED AT 7906 DIXIE HIGHWAY (U.S. 25), ADJACENT TO THE CITY LIMITS. (INSIGHT PROPERTY)**

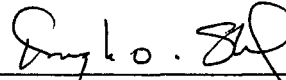
This Ordinance annexes and makes a part of the City a tract of approximately 11.1997 acres located at 7906 Dixie Highway (U.S. 25), adjacent to the City limits.

This annexation is in response to a request by Insight Kentucky Partners II, L.P., the owner, to have the property become part of the City. The annexation will be complete upon second reading and publication of this Ordinance.

After annexation the property will remain subject to the same land use restrictions as applied prior to annexation.

**CERTIFICATION**

I hereby certify that the foregoing is a summary of the contents of the Ordinance titled above and that it was prepared by me this 23<sup>rd</sup> day of March, 2004, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES, KBA#64730  
SKEES, WILSON & DILLON, PLLC  
7699 Ewing Blvd., P.O. Box 756  
Florence, KY 41042-0756  
Phone: (859) 371-7407  
Fax: (859) 371-9872

# **EXHIBIT**

## **“A”**

**EXHIBIT A**

Located in the City of Florence, County of Boone and Commonwealth of Kentucky and being more particularly described as follows:

Beginning at a point in the westerly line of U.S. Highway No. 25, said point being the intersection point of same with the common line between the grantor and Levis Strauss, Inc. (deed book 168, page 517); thence with said common line S 77 deg. 22' 55" W 851.37 feet to an iron pin; thence through the land of the grantor N 12 deg. 36' 46" W 649.32 feet to an iron pin in the grantor's northerly property line; thence along same N 87 deg. 23' 56" E 867.11 feet to a point in the westerly right of way line of U.S. Highway No. 25; thence along the same S 10 deg. 45' 33" E 23.48 feet, S 11 deg. 48' 52" E 212.15 feet, S 12 deg. 52' 11" E 17.24 feet, S 3 deg. 24' 27" E 60.83 feet, S 12 deg. 52' 11" E 40.00 feet, S 26 deg. 54' 21" E 41.23 feet and S 12 deg. 52' 11" E 105.66 feet to the place of beginning.

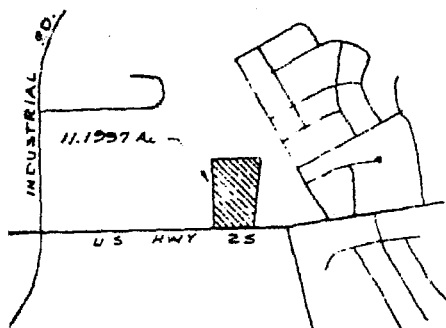
Containing 11.1997 acres

Group 2049A  
PIDN: 73-56



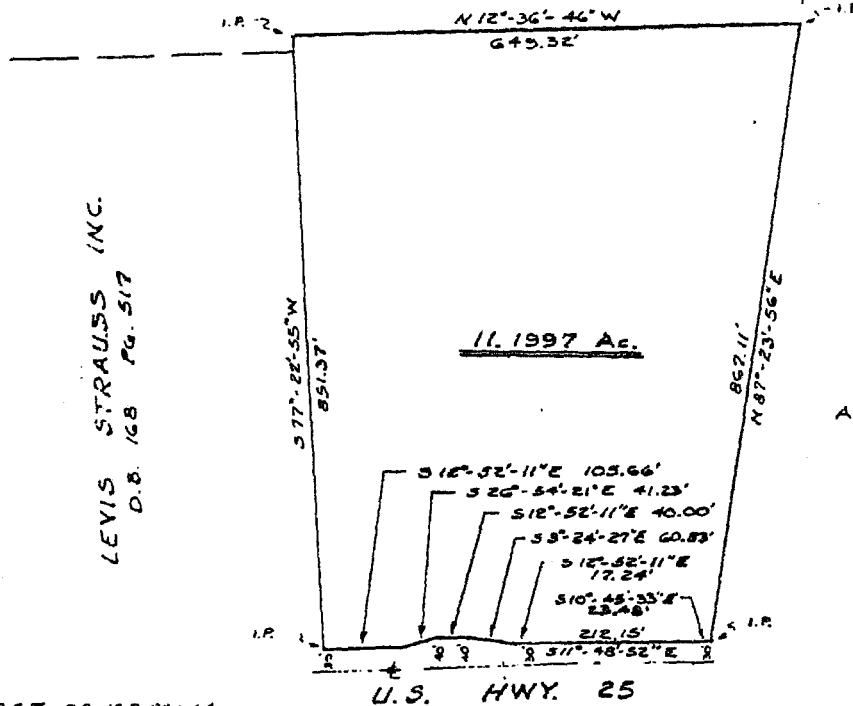
# **EXHIBIT**

## **“B”**



VICINITY MAP  
SCALE: 1" = 2000'

NORTHERN KENTUCKY  
INDUSTRIAL PARK COMPANY  
D.B. 156 PG. 344



LEVIS STRAUSS INC.  
D.B. 168 PG. 517

ALVIN ALDEMEYER  
D.B. 270 PG. 80

BACK REF. DB. 198 PG. 344  
GROUP No. 2049  
ZONING I-2

ZONED I-2  
FRM 2-8-89

#### LAND SURVEYOR'S CERTIFICATE

"I certify that this plat has been prepared by me or under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all requirements of the Boone County Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner."

I certify that I have examined the records of the Boone County Court Clerk and find that this is the Conveyance made under the present ownership and the parent tract since 1966 or from the adoption of KRS 100.

1/20/89  
Date

James W. Berling, L.S. Ky. Reg. #206



#### BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE

Approved for recording the transfer of the property only by the Boone County Planning Commission the 15 day of February, 1989.

Date

Chairman

*Carl Smith, Dist. Sec.*

PLAT OF SURVEY  
FOR: HEMMER INDUSTRIES  
U.S. HWY. 25 - FLORENCE, KY.  
SCALE: 1" = 200'

NOV. 22, 1988

JAMES W. BERLING  
KY. SURVEYOR No. 206

**CONSENT TO ANNEXATION  
BY THE CITY OF FLORENCE, KENTUCKY**

The undersigned hereby consent to and request that the City of Florence, Kentucky, annex the real property which is described and shown on the legal description and plat which are attached hereto, and in connection therewith, the following representations are made to the City:

- a. All of the owners of record of said real property have signed below;
- b. The real property meets the requirements of K.R.S. 81A.410;
- c. Such annexation is consented to under the provisions of K.R.S. 81A.412 and it is acknowledged that by reason of such consent, the City shall not be required to (1) enact the notification ordinance of K.R.S. 81A.421(1); or (2) to comply with the notice requirements of K.R.S. 81A.425; or (3) to wait the 60 day period provided for in K.R.S. 81A.420(2). The City may accomplish this annexation by the enactment and publication of a single ordinance.

Pursuant to K.R.S. 100.209 as it affects zoning of such real estate after annexation, it is hereby requested: (check one)

- a. ☒ That such real estate shall remain subject to the same land use restrictions as applied to it prior to annexation; or
- b. ☐ That the City amend its Comprehensive Plan and official Zoning Map so that after annexation, such real property will have the following zone:  
\_\_\_\_\_

*NOTE: This consent to annexation must be signed by all owners of record. If the owners are married individuals, their spouses must sign. If the owners are corporations, LLC's, partnerships, etc., the authorized officers must sign, and a copy of the resolution authorizing execution must be attached.*

*The following documents MUST be attached to this Consent.*

- a. A plat showing an accurate map of the real estate (K.R.S. 81A.470(1)); and
- b. A metes and bounds legal description of the real estate (K.R.S. 81A.470(1)); and
- c. Copies of the document(s) from which owners source of title is derived; and
- d. A list of the names and addresses of those property owners and registered voters who reside within the boundaries of the real property (K.R.S. 81A.475).

Insight Kentucky Partners II, L.P.  
John W. Hutten (Officer) [Signature] 3/16/04  
Printed/Typed Name of Owner Signature Date  
7940 U.S. 25 (859) 514-1400  
Address Phone

\_\_\_\_\_  
Printed/Typed Name of Owner Signature Date  
\_\_\_\_\_  
Address Phone

\_\_\_\_\_  
Printed/Typed Name of Owner Signature Date  
\_\_\_\_\_  
Address Phone